

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

SHERRI THOMAS, Individually,	§	
as Representative of The Estate of	§	
JAMES BRETT THOMAS, and as NEXT	§	
FRIEND OF J.C.T., J.A.T., C.S.T., and J.P.T.,	§	
and CASSIDY THOMAS, Individually	§	
	§	Case No. 4:14-cv-00298-DDB
VS.	§	
	§	
	§	
STEVEN ELVEY JOHNSON and	§	
WERNER ENTERPRISES, INC.	§	

AGREED JUDGMENT

On this day came on to be heard the above-referenced cause and came the Plaintiffs, **SHERRI THOMAS, Individually, as Representative of the Estate of JAMES BRETT THOMAS, and as NEXT FRIEND OF J.C.T., J.A.T., C.S.T., and J.P.T., and CASSIDY THOMAS, Individually**, by and through their attorneys of record, and came the Defendants, **STEVEN ELVEY JOHNSON and WERNER ENTERPRISES, INC.**, by and through their attorneys of record, all parties made it known to the Court that the parties have settled all matters of fact and things in controversy between them and that an Agreed Judgment (*see* Dkt. 232) as to the Plaintiffs should be entered. Having considered the argument and testimony presented at the November 10, 2015 prove-up hearing and the record before it, the Court enters the following agreed judgment.

IT IS THEREFORE ORDERED by the Court that the following future periodic payments will be made for the benefit of John Thomas, Joseph Thomas, Carli Thomas and Joshua Thomas, said periodic payments to be provided through a qualified assignment to MetLife Tower Resources Group, Inc. (Assignee), within the meaning of Section 130(c) of the Internal Revenue Code of 1986, as amended, and the issuance of an annuity policy from Metropolitan Life Insurance Company (Annuity Issuer), all as more fully described and in accordance with the **AGREED JUDGMENT - Page 1 of 3**

terms and conditions of the Settlement Agreement attached hereto as Exhibit A and made a part of this Judgment for all purposes:

Payee: John Thomas

Payments: \$1,205.67 paid monthly, guaranteed for 10 years (120 payments) certain only. Payments commence on 12/17/2022 with the last guaranteed payment on 11/17/2032

Payee: Joseph Thomas

Payments: \$1,361.10 paid monthly, guaranteed for 10 years (120 payments) certain only. Payments commence on 01/08/2026 with the last guaranteed payment on 12/08/2035

Payee: Carli Thomas

Carli Sabrina Thomas Special Needs Trust with Sherri G. Thomas as the Trustee.

Payments: \$1,436.81 paid monthly, guaranteed for 10 years (120 payments) certain only. Payments commence on 05/23/2027 with the last guaranteed payment on 04/23/2037

Payee: Joshua Thomas

Payments: \$1,540.25 paid monthly, guaranteed for 10 years (120 payments) certain only. Payments commence on 02/26/2029 with the last guaranteed payment on 01/26/2039

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that Sherri Thomas recover those monies as more fully described in the Settlement Agreement, and no other monies shall be awarded by this Judgment. Cassidy Thomas shall recover those monies more fully described within the Settlement Agreement, and no other monies shall be awarded. It is further ORDERED that Plaintiffs shall take nothing more as against Defendants other than those agreements contained within the Settlement Agreement by reason of this suit, with all taxable

costs of Court taxed against the party incurring same. All relief not expressly granted herein is specifically denied.

SIGNED this 18th day of November, 2015.

AGREED:



MICHAEL P. SHARP

State Bar No. 00788857

msharp@feesmith.com

DANIEL M. KARP

State Bar No. 24012937

dkarp@feesmith.com

ATTORNEYS FOR DEFENDANT

STEVEN ELVEY JOHNSON



DON D. BUSH
UNITED STATES MAGISTRATE JUDGE

ROBERT P. COFFEY, JR.

Oklahoma Bar No. 14628

Robert@csmlawgroup.com

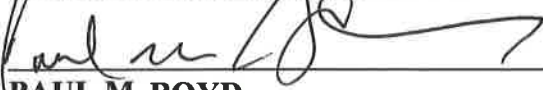
ANDREW B. MORSMAN

Oklahoma Bar No. 10911

Amorsman@csmlawgroup.com

ATTORNEYS FOR DEFENDANT

WERNER ENTERPRISES, INC.



PAUL M. BOYD

State Bar No. 02775700


ATTORNEY FOR PLAINTIFFS



DAVID E. DOBBS

State Bar No. 05913700

ATTORNEY FOR PLAINTIFFS


Garland Conradwell
Guardian Ad Litem